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10/685,865	10/15/2003	Roland E. Villacorta	(49357) 59005	5769

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EXAMINER
SHRESTHA, BIJENDRA K

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	**Application No.** 10/685,865	**Applicant(s)** VILLACORTA ET AL.
	Examiner BIJENDRA K. SHRESTHA	**Art Unit** 3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2007*.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17,20 and 21* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-17 and 20-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-21 are presented for examination. Applicant filed an amendment on 11/19/2007 amending claims 1, 10 and 17, and canceling claims 18-19. After careful consideration of applicant's arguments and amendments, new grounds of rejections of claims necessitated by Applicant's amendment are established in the instant application as set forth in detail below. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kochansky, U.S. Pub No. 2003/0167221 (reference A in attached PTO-892) view of Langner et al., U.S. Pub No. 2003/0117443 (reference B in attached PTO-892).

3. As per claim 1, Kochansky teaches a system comprising:

a) a database containing issuer information (see Fig. 1, Dynamic Lists database (20), Table 1.0 and Table 2.0).

b) a second database containing compliance rules providing guidelines for the purchase of securities for selected portfolios (see Fig. 1, Rules Database (20), paragraph [0023] and [0024]);

c) means for permitting a portfolio manager to determine whether an issuer is on a list of approved issuers for a selected portfolio based upon the compliance rules contained in the second database (see Fig. 3, steps 48, 50, 52 and 54, paragraph [0038] and [0039]);

d) determining that an issuer is not on a list of approved issuers for a selected portfolio (see Fig. 3, step 96, paragraph [0051]);

f) means for permitting the credit analyst to resolve the credit approval request on behalf of the portfolio manager (see Table 3.0, Preferred Issuers; where credit analyst resolve credit approval request by addition of approved company in the Preferred Issuers).

Kochansky does not teach b) means for permitting a portfolio manager to submit a credit approval request to a credit analyst; c) means for permitting a credit analyst to evaluate the credit approval request submitted by the portfolio manager based on the issuer information contained in the database.

Langner et al. teach b) means for permitting a portfolio manager to submit a credit approval request to a credit analyst (Langner et al., Fig. 4 and 20; where user or portfolio manager can request credit ratings to Dun & Bradstreet Credit Services (Credit Analyst); and d) means for permitting a credit analyst to evaluate the credit approval request submitted by the portfolio manager based on the issuer information contained in the database (Langner et al., Fig. 6, paragraph [0040]; where Duns & Bradstreet Business Risk eValuator provides ratings for any company of interest enabling to resolve credit approval request).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for permitting a portfolio manager to submit a credit approval request to a credit analyst and means for permitting a credit analyst to evaluate the credit approval request submitted by the portfolio manager based on the issuer information contained in the database of Kochansky because Langner et al. teach that incorporating above features would enable to determine risk of a company in color coded manner (Langner et al., paragraph [0009]).

4. As per claim 2, Kochansky in view of Langner et al. teach claim 1 as described above.

Kochansky does not teach the system comprising means for broadcasting the credit approval request to the credit analyst for evaluation.

Langner et al. teach the system comprising means for broadcasting the credit approval request to the credit analyst for evaluation (Langner et al., Figs. 1 and 20).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for broadcasting the credit approval request to the credit analyst for evaluation of Kochansky because Langner et al. teach that incorporating above features would enable to determine risk of a company in color coded manner (Langner et al., paragraph [0009]).

5. As per claim 3 and 4, Kochansky in view of Langner et al. teaches claim 1 as described above.

Kochansky does not teach the system comprising means for providing the portfolio manager with status messages indicating the status of a credit approval and the means for providing the portfolio manager with status messages includes a graphical display providing color-coded status messages.

Langner et al. teach the system comprising means for providing the portfolio manager with status messages indicating the status of a credit approval and the means for providing the portfolio manager with status messages includes a graphical display providing color-coded status messages (see Fig. 7; paragraph [0040]; where status of credit approval is indicated by color coded risk scale).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for providing the portfolio manager with status messages indicating the status of a credit approval and the means for providing the portfolio manager with status messages includes a graphical display providing color-coded status messages of Kochansky because Langner et al. teach that incorporating above features would permit the portfolio manager to make a rapid risk judgment without reading and analyzing the credit report (Langner et al., paragraph [0009]).

6. As per claim 5, Kochansky in view of Langner et al. teaches claim 1 as described above. Kochansky further teach the system wherein

the issuer information contained in the database includes objective data and subjective data (see paragraph [0031-0036]).

7. As per claim 6, Kochansky in view of Langner et al. teaches claim 1 as described above. Kochansky further teach the system wherein

the means for submitting a credit approval request includes a graphical user interface having a data entry field for entering a description of the request (Langner et al., Fig. 20).

8. As per claim 7, Kochansky in view of Langner et al. teach claim 6 as described above. Kochansky further teach a system wherein

the graphical user interface permits a portfolio manager to assign a degree of relative importance to the credit approval request in a data field (see Fig. 20, paragraph [0051]; the Examiner notes priority of request could be attached in the request such as in the “Advanced Search”).

9. As per claim 8-9, Kochansky in view of Langner et al. teach claim 1 as described above. Kochansky further teach a system wherein

the means for permitting the credit analyst to resolve the credit approval request includes a graphical user interface accessible by the credit analyst for specifying a resolution to the credit approval request in a data field and by adding an issuer to at least one list of approved issuers (see Table 3.0, Preferred Issuers; paragraph [0059]); where credit analyst resolve credit approval request by addition of approved company in the Preferred Issuers).

10. Claims 10-17 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kochansky, U.S. Pub No. 2003/0167221 (reference A in attached

PTO-892) in vie Langner et al., U.S. Pub No. 2003/0117443 (reference B in attached PTO-892) further in view of DeFrancesco et al., U.S. Patent No. 6,587,841 (reference C in attached PTO-892).

11. As per claim 10, Kochansky teach a system for enabling a portfolio manager to obtain credit approval for an issuer of securities from a credit analyst comprising:

a) means for determining whether an issuer of securities is on a list of approved issuers for a selected portfolio, based upon a set of compliance rules for guiding the purchase of securities for the selected portfolio (see Fig. 3, steps 48, 50, 52 and 54, paragraph [0038] and [0039]);

b) determining that an issuer of securities is not on a list of approved issuers for a selected portfolio (see Fig. 3, step 96, paragraph [0051]);

d) means for resolving the credit approval request on behalf of the portfolio manager (see Table 3.0, Preferred Issuers; where credit analyst resolve credit approval request by addition of approved company in the Preferred Issuers).

Kochansky does not teach a) means for submitting a credit approval request to a credit analyst.

Langner et al. teach means for submitting a credit approval request to a credit analyst (see Fig. 20).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for submitting a credit approval request to a credit analyst of Kochansky because Langner et al. teach that incorporating above features would enable to determine risk of a company (Langner et al., paragraph [0009]).

Langner et al. do not teach b) means for monitoring the status of the credit approval request; and c) means for managing the status of the credit approval request.

DeFrancesco et al. teach means for monitoring and managing the status of the credit approval request (DeFrancesco et al., Figs. 3AI and 3AJ).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for monitoring and managing the status of the credit approval request of Langner et al. because DeFrancesco et al. teach that incorporating above features would enable to search and locate the status of credit approval applications (DeFrancesco et al., column 31, lines 6-13).

12. As per claim 11, Kochansky in view of Langner et al. further in view of DeFrancesco et al. teach claim 10 as described above. Langner et al. further teach the system wherein

the means for submitting a credit approval request for an issuer includes a graphical user interface accessible by a portfolio manager for entering a description of the request in a data field (see Fig. 20).

13. As per claim 12, Kochansky in view of Langner et al. further in view of DeFrancesco et al. teach claim 11 as described above. Langner et al. further teach the system wherein

the graphical user interface permits a portfolio manager to assign a degree of relative importance to the credit approval request in a data field (see Fig. 20, paragraph

[0051]; the Examiner notes priority of request could be attached in the request such as in the “Advanced Search”).

14. As per claim 13-16, Kochansky in view of Langner et al. further in view of DeFrancesco et al. teach claim 10 as described above.

Kochansky in view of Langner et al. do not teach the means for monitoring the status of the credit approval request includes a graphical display viewable by a portfolio manager; the graphical display provides color-coded status messages viewable by the portfolio manager; the means for managing the status of the credit approval request includes a graphical user interface accessible by the credit analyst for specifying the status of the credit approval request in a data field; and the means for resolving the credit approval request includes a graphical user interface accessible by the credit analyst for specifying a resolution to the credit approval request in a data field.

DeFrancesco et al. teach means for monitoring the status of the credit approval request includes a graphical display viewable by a portfolio manager; the graphical display provides color-coded status messages viewable by the portfolio manager; the means for managing the status of the credit approval request includes a graphical user interface accessible by the credit analyst for specifying the status of the credit approval request in a data field; and the means for resolving the credit approval request includes a graphical user interface accessible by the credit analyst for specifying a resolution to the credit approval request in a data field (DeFrancesco et al., Figs. 3AI and 3AJ).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for monitoring and managing the status of the credit approval request of Kochansky in view of Langner et al. because DeFrancesco et al. teach that incorporating above features would enable to search, locate and resolve the status of credit approval applications (DeFrancesco et al., column 31, lines 6-13).

15. As per claim 17, Kochansky teaches a method of providing credit approval comprising the steps of:

a) determining by the portfolio manager that the issuer of securities is not on a list of approved issuers for a selected portfolio based upon a set of compliance rules for guiding the purchase of securities for the selected portfolio (see Fig. 3, steps 48, 50, 52 and 54, paragraph [0038] and [0039]); and

d) resolving the credit approval request on behalf of the portfolio manager by adding the issuer of securities to at least one list of approved issuers (see Table 3.0, Preferred Issuers; where credit analyst resolve credit approval request by addition of approved company in the Preferred Issuers).

Kochansky does not teach receiving a credit approval request from a portfolio manager and b) evaluating the credit approval request based upon objective and subjective information stored in a database.

Langner et al. teach receiving a credit approval request from a portfolio manager (Langner et al., Fig. 4 and 20; where user or portfolio manager can request credit ratings to Dun & Bradstreet Credit Services (Credit Analyst): and b) evaluating the credit approval request based upon objective and subjective information stored in a database (Langner et al., Fig. 6, paragraph [0040]; where Duns & Bradstreet Business Risk eValuator provides ratings for any company of interest enabling to resolve credit approval request).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for permitting a portfolio manager to submit a credit approval request to a credit analyst and means for permitting a credit analyst to evaluate the credit approval request submitted by the portfolio manager based on the issuer information contained in the database of Kochansky because Langner et al. teach that incorporating above features would enable to determine risk of a company in color coded manner (Langner et al., paragraph [0009]).

Kochansky in view of Langner et al. do not teach managing the status of the credit approval.

DeFrancesco et al. teach managing the status of the credit approval request (DeFrancesco et al., Figs. 3AI and 3AJ).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to add means for managing the status of the credit approval request of Kochansky in view of Langner et al. because DeFrancesco et al. teach that incorporating above features would enable to search, locate and resolve the status of credit approval applications (DeFrancesco et al., column 31, lines 6-13).

16. As per claim 20-21, Kochansky in view of Langner et al. further in view of DeFrancesco et al. claim 17 as described above. Kochansky further teach the method according, wherein

the step of managing the status of the credit approval request includes communicating status messages to the portfolio manager and communicating a resolution to the credit approval request to the portfolio manager (see Table 3.0, Preferred Issuers; where credit analyst resolve credit approval request by addition of approved company in the Preferred Issuers which is visible to portfolio manager).

Response to Arguments

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. The following are pertinent to current invention, though not relied upon:

Fletcher et al. (U.S. Patent No. 6,112,190) teach method and system for commercial credit analysis.

Grey et al. (U.S. Pub No. 2002/0133365) teach system and method or aggregating reputational information.

for facilitating electronic bidding between buyer and seller in financial industries.

Jones et al. (U.S. Patent No. 5,239,462) teach method and apparatus for automatically determining the approval status of a potential borrower.

Lardy et al. (U.S. Patent No. 7,089,207) teach method and system for determining a company's probability of no default.

Lefner et al. (U.S. Pub no. 2005/0065874) teach credit approval monitoring system and method.

Noh (U.S. Pub No. 2004/0158520) teach method and apparatus for evaluating and monitoring collateralized debt obligations.

Jennings et al. (U.S. Patent No. 5,542,088) teach method and apparatus for enabling control of task execution.

Kennedy et al. (U,S. Pub N0. 2006/0277123) teach integrated electronic credit application, contracting and securitization system and method.

Wiggins (U.S. Patent No. 5,717,604) teaches network monitoring system for tracking, billing and recovering licenses.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571) 270-1374. The examiner can normally be reached on 7:00 AM-4:30 PM (Monday-Friday); 2nd Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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